

Item W07-03 Response Form

Title: Civil Case Management: *Notice of Related Case* (revise form CM-015)

- ☐ **Agree** with proposed changes
- ☐ **Agree** with proposed changes **if modified**
- ☐ **Do not agree** with proposed changes

Comments: _____

Name: _____ **Title:** _____

Organization: _____

- ☐ **Commenting on behalf of an organization**

Address: _____

City, State, Zip: _____

Please **write** or **fax** or **respond using the Internet** to:

Address: Ms. Romunda Price,
Judicial Council, 455 Golden Gate Avenue,
San Francisco, CA 94102
Fax: (415) 865-7664 **Attention:** Romunda Price
Internet: www.courtinfo.ca.gov/invitationstocomment

DEADLINE FOR COMMENT: 5:00 p.m., Friday, January 26, 2007
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Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

Circulation for comment does not imply endorsement by the Judicial Council or the Rules and Projects Committee.
All comments will become part of the public record of the council's action.

Invitation to Comment W07-03

Title	Civil Case Management: <i>Notice of Related Case</i> (revise form CM-015)
Summary	<i>Notice of Related Case</i> (form CM-015) would be revised to (1) track the definition of “related case” under rule 3.300(a); (2) collect the requisite contents for such a notice under rule 3.300(c); and (3) collect all of the information the courts will need to determine the appropriate judicial action under rule 3.300(h).
Source	Civil and Small Claims Advisory Committee Hon. Lee Smalley Edmon, Chair
Staff	Lisa J. Leebove, Senior Attorney, 415-865-8933, lisa.leebove@jud.ca.gov
Discussion	<p>The Judicial Council has amended rule 3.300 (formerly rule 804) of the California Rules of Court, effective January 1, 2007, to, among other things, revise the definition of “related case”; specify the content of notices of related cases and the time for filing and serving them; and provide new procedures for courts to order cases related both within a superior court and in different superior courts.</p> <p>Form CM-015 would be revised, effective July 1, 2007, to implement the amended rule. Specifically, the <i>Notice of Related Case</i> (form CM-015) would be revised to (1) track the definition of “related case” under rule 3.300(a); (2) collect the requisite contents for such a notice under rule 3.300(c); and (3) collect all of the information the courts will need to determine the appropriate judicial action under rule 3.300(h).</p>
	Attachment

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY <p style="text-align: center;">DRAFT, 12/18/06</p> <p style="text-align: center;">NOT YET APPROVED BY THE JUDICIAL COUNCIL</p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PLAINTIFF/PETITIONER: _____ DEFENDANT/RESPONDENT: _____	CASE NUMBER: _____
	JUDICIAL OFFICER: _____
<p style="text-align: center;">NOTICE OF RELATED CASE</p>	DEPT.: _____

Identify, in chronological order according to date of filing, all cases related to the above referenced case.

1.
 - a. Title:
 - b. Case number:
 - c. Court: ☐ same as above
☐ other state or federal court (name and address):
 - d. Department:
 - e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☐ other (specify):
 - f. Filing date:
 - g. Relationship of this case to the above referenced case (check all that apply):
 - ☐ Involves the same parties and is based on the same or similar claims;
 - ☐ Arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact;
 - ☐ Involves claims against, title to, possession of, or damages to the same property;
 - ☐ Is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
 - ☐ Additional explanation is attached in Attachment 1g.
 - h. Status of case:
 - ☐ pending
 - ☐ dismissed ☐ with ☐ without prejudice
 - ☐ disposed of by judgment
2.
 - a. Title:
 - b. Case number:
 - c. Court: ☐ same as above
☐ other state or federal court (name and address):
 - d. Department:
 - e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☐ other (specify):

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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f. Filing date:

g. Relationship of this case to the above referenced case (*check all that apply*):

- ☐ Involves the same parties and is based on the same or similar claims;
- ☐ Arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact;
- ☐ Involves claims against, title to, possession of, or damages to the same property;
- ☐ Is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- ☐ Additional explanation is attached in Attachment 2g.

h. Status of case:

- ☐ pending
- ☐ dismissed ☐ with ☐ without prejudice
- ☐ disposed of by judgment

3. a. Title:

b. Case number:

c. Court: ☐ same as above
☐ other state or federal court (*name and address*):

d. Department:

e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☐ other (*specify*):

f. Filing date:

g. Relationship of this case to the above referenced case (*check all that apply*):

- ☐ Involves the same parties and is based on the same or similar claims;
- ☐ Arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact;
- ☐ Involves claims against, title to, possession of, or damages to the same property;
- ☐ Is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
- ☐ Additional explanation is attached in Attachment 3g.

h. Status of case:

- ☐ pending
- ☐ dismissed ☐ with ☐ without prejudice
- ☐ disposed of by judgment

4. ☐ Additional related cases are described in Attachment 4.

5. Number of pages attached: _____

Date:

 (TYPE OR PRINT NAME OF PARTY OR ATTORNEY)

 (SIGNATURE OF PARTY OR ATTORNEY)

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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**PROOF OF SERVICE BY FIRST-CLASS MAIL
NOTICE OF RELATED CASE**

(NOTE: You cannot serve the Notice of Related Case if you are a party in the action. The person who served the notice must complete this proof of service. The notice must be served on all known parties in each related action or proceeding.)

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is *(specify)*:

2. I served a copy of the *Notice of Related Case* by enclosing it in a sealed envelope with first-class postage fully prepaid and *(check one)*:
 - a. ☐ deposited the sealed envelope with the United States Postal Service.
 - b. ☐ placed the sealed envelope for collection and processing for mailing following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Related Case* was mailed:
 - a. on *(date)*:
 - b. from *(city and state)*:

4. The envelope was addressed and mailed as follows:

<ol style="list-style-type: none"> a. Name of person served: Street address: City: State and zip code: b. Name of person served: Street address: City: State and zip code: 	<ol style="list-style-type: none"> c. Name of person served: Street address: City: State and zip code: d. Name of person served: Street address: City: State and zip code:
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- ☐ Names and addresses of additional persons served are attached. *(You may use form POS-030(P).)*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

<hr style="border: none; border-top: 1px solid black;"/> (TYPE OR PRINT NAME OF DECLARANT)	<div style="text-align: right;">▶</div> <hr style="border: none; border-top: 1px solid black;"/> (SIGNATURE OF DECLARANT)
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